



Entered on Docket
June 26, 2009

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES
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Wells Fargo Bank, NA dba America's Servicing Company
08-72907 / 1115046160

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Maria A. Mariscal

Debtors.

BK-S-08-13487-bam

MS Motion No.

Date: 5/5/09

Time: 1:30 P.M.

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-petition arrearages currently due as follows:

5 Monthly Payments at \$1,563.03 (December 1, 2008 – April 1, 2009)	\$ 7,815.15
4Monthly Late Charges at \$70.42 each (December 16, 2008 – March 16, 2009)	\$ 281.68
Motion Filing Fee	\$ 150.00
Attorneys Fees	\$ 750.00
Total Arrearages	\$ 8,996.83
Less immediate payment	-(\$ 7,936.33)
Total Arrearages	\$1,060.50

The above arrearage shall be paid in six (6) monthly installments of \$176.75. These payments shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the May 20, 2009 payment and continuing throughout and concluding on or before October 20, 2009.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the February 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 109 Linden St. , Henderson, NV 89015, and legally described as follows:

Lot ONE HUNDRED EIGHTY (180), in Block SIX (6) of HENDERSON NO. 4, as shown by Map thereof on File in Book 5 of Plats, Page 15, in the Office of the County Recorder of Clark County, Nevada

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to

1 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
2 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
3 possession thereof.

4
5 Submitted by:

6 WILDE & ASSOCIATES

7
8 By

See page 4
9 **GREGORY L. WILDE, ESQ.**
10 Attorneys for Secured Creditor
11 208 South Jones Boulevard
12 Las Vegas, Nevada 89107

13 APPROVED AS TO FORM & CONTENT:

14 Kathleen A Leavitt

15 By

16 Kathleen A Leavitt
17 Chapter 13 Trustee
18 302 E Carson #300
19 Las Vegas, NV 89101

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26
David M. Crosby

By

David M. Crosby
Attorney for Debtors
711 South 8th Street
Las Vegas, NV 89101

Nevada Bar No. 3499

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12 Las Vegas, Nevada 89107

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